



**AUSTRALIAN DANGEROUS GOODS
AIR TRANSPORT COUNCIL**



The Hon. Anthony Albanese MP
Department of Infrastructure,
Transport, Regional Development and
Local Government
Parliament House
Canberra.

03 April 2009

Dear Mr Albanese,

Following my letter to you of March 2008, you kindly arranged for Myself and representatives of the Australian Dangerous Goods Air Transport Council to meet with Mike Ford, General Manager, Aviation Safety Branch, Aviation and Airports, Department of Infrastructure.

At this meeting we discussed issues the Council felt, needed urgent attention by the new Government to maintain the Safety of the Australian Aviation industry with respect to the transport of Dangerous Goods.

Mr Ford agreed that these concerns were valid, and recommended that we should re-submit our concerns to you.

Our response has been delayed. This delay is due to the governments move to action one of our concerns. With this in mind we felt it appropriate to wait should there be further developments.

No additional developments eventuated, and although we applaud you and CASA for recognising the importance of Dangerous Goods safety by reinstating Australia's representation at the International Civil Aviation Organisation Dangerous Goods Panel (ICAO DGP), we feel that much more needs to be done to secure the long term safety and profitability of industry.

There are a number of issue we feel need to be dealt with, and although I outline these in this submission to you, these as well as others need to be discussed in greater detail, and alternatives examined.

- *The problems faced by industry in dealing with multiple (state and federal) jurisdictions regarding Dangerous Goods*
Our members are finding more and more inexperience and lack of understanding in the transport of dangerous goods in State government departments. Often different classes of dangerous goods are dealt with by different departments. Each state applies different rationales and regulations, and transport between states is sometimes more restrictive than international transport. It is felt that a single Federal Authority to deal with the transport of all classes of Dangerous Goods domestically and internationally would be able to rationalise the Governments resources whilst ensuring the safe transport of dangerous goods and smooth trade links between Local and International markets.



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- *Rationalisation of Radioactive authorities (currently 12 in Australia - more than any other country in the world)*
This matter has obvious similarities to the previous, but we believe needs to be addressed separately, as it is a critical international implications. Most countries throughout the world will have one or two Authorities responsible for the transport of Radioactive materials. Australia currently has 12. This is an obvious impediment to international and domestic trade, and poor allocation of Government resources particularly as some authorities do not have the appropriate expertise to deal with this Class of Dangerous Goods.
- *Rationalisation of Explosive Regulatory authorities*
More often than not, enquiries relating to the transport of Explosive articles is directed to the Department of Defence, however many states have different regulatory assessment of Explosive articles. In one state, items that are not considered explosive are infact classified as explosive for transport by air internationally – this can and does cause considerable confusion and certainly impacts on safety.

These first three issues could be resolved quiet easily by Federal Government taking a more active role in the management of Dangerous Goods Transport to, from, within and over Australia, by road, rail, sea and air. This would deliver considerable cost, education and Safety benefits whilst eliminating unnecessary duplication and trade impediments.

- *The Unrecognised potential threat to Safety associated with Dangerous Goods.*
The Government has border resources in the form of Customs, AQIS, and AFP, Each Service is responsible for their own portfolio with some inter departmental cooperation on security matters and contraband issues. However there is the potential for dangerous goods to pass through the hands of each of these authorities without being detected as they are not trained, nor do they have the authority to prevent many of these items from travelling. A recent episode of the high profile program “Border Security” identified a passenger carrying a considerable amount of fireworks and other dangerous goods – the passenger was given a warning by the AFP and allowed to proceed – with some of the dangerous goods returned to the passenger.
This event shows that there is a lack of regard for the Civil Aviation Regulations at our borders, particularly after the passenger has flown and for all intents committed the offence. This incident, was infact a breach of the Safety Regulations, which could have attracted a prison sentence had CASA been advised. The unfortunate issue with this is that the wrong message was delivered not just to the offending passenger, but to millions of viewers in Australia and Overseas.
Better cooperation needs to be developed between border authorities particularly with respect to breaches of the Civil Aviation Safety Regulations.



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- *The Disproportionate allocation of resources to Dangerous Goods Safety vs General Cargo/Freight Security.*

The Department of Infrastructure currently has approximately 30 inspectors responsible for the Security of Cargo. CASA who is responsible for the Safety of the travelling public has 2.5 inspectors responsible for Dangerous Goods transported by Air, to from and through Australian airports and airspace. In 2008 there were no verified cargo related security events, whilst CASA was required to deal with 300 Dangerous Goods Incidents – no doubt many more went undetected and unconfirmed due to the lack of resources. Furthermore due to lack of resources, many of these did not proceed to prosecution.

It should be noted that in February 2008 ICAO conducted an Oversight Audit of the Australian Civil Aviation Safety Authority. One of their findings was that.....

“The ATOG field offices are responsible for the certification of foreign and domestic air operators, the monitoring and inspection of air operations, the conduct of cabin safety inspections, and the oversight of the transport of dangerous goods by air. Given the level of aviation activity in Australia, the current number of dangerous goods inspectors is not sufficient to ensure effective safety oversight.”

It should be further noted that in CASA’s response to the ICAO finding, it committed to ensuring that by 31 January 2009

“.....adequate numbers of trained inspectors are available”

The industry feels this commitment to ICAO has not been adequately addressed – CASA now has 3 inspectors – and they are not all assigned full time to Dangerous Goods Matters

I trust you can establish from these points, the need to move forward and discuss the issues with your management team and industry quickly. The Australian Dangerous Goods Air Transport Council is committed to Safety before all else, and believes that addressing these issues in consultation and with haste and commitment, will ensure that the Transport of Dangerous Goods in Australia will be viewed by the world as one of the best.

I look forward to hearing from you

Michael P Montuori
Chairperson
Australian Dangerous Goods Air Transport Council